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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,492	11/21/2003	Brad Arnold Goodwin	GBB-200-A	2529

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EXAMINER
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DOOLEY, JAMES C

ART UNIT	PAPER NUMBER
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3634

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/719,492	<b>Applicant(s)</b> GOODWIN, BRAD ARNOLD	
	<b>Examiner</b> James C. Dooley	<b>Art Unit</b> 3634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☐ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 21 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/02/2004</u> . | 6) <input type="checkbox"/> Other: ____  |

*A*

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1,3 are rejected under 35 U.S.C. 102(b) as being anticipated by Ray (US patent number 5,164,011). Ray teaches a rectangular frame surrounding a workpiece featuring:

- a. Clearance between the workpiece and frame (col. 1 ln. 46-49)
- b. A pivot means (fig 1. item 62;58)
- c. A workpiece stabilizing means (fig 1. item 68)
- d. An adjustable squaring mechanism (fig. 1 item 48)

2. Claim 9-12 is rejected under 35 U.S.C. 102(b) as being anticipated by Maroné (US patent number 50701796). Maroné teaches a collapsible support structure featuring:

- e. A pair of vertical leg members (fig. 1 item 4)
- f. A pair of cross leg members (fig. 1 items 5,20)
- g. Leg securement means (fig. 2 item 10)
- h. An adjustable angled support member (fig. 1 item 6)
- i. Angled support member with releasable connection means (col. 2 ln. 32-38)
- j. convenient assembly/disassembly (col. 1 ln. 24-30)

3. Claims 13-20 rejected under 35 U.S.C. 102(b) as being anticipated by Gottfredson et.al. (US Patent number 6,561,470). Gottfredson teaches a drying rack assembly mounted to a sawhorse intended for supporting freshly painted doors featuring:

- j. An elongated L-shaped member (fig. 9 item 520)
- k. A series of cutouts along the upper edge (fig. 9)
- l. A cross member secured to workpiece (fig. 8 item 30)
- m. A support bracket releasable connected to L-shaped member and cross member (fig 8 item 300, 320)

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***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5,7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ray in view of Maroné and further in view of Speed (US patent number 6090204). Ray teaches a portable jig for coating workpieces featuring adjustment means and allowing rotation of the workpiece, but does not show a pair of disassemblable leg assemblies or a pair of angled support brackets. Ray teaches a method of painting the door in a vertical orientation, although it is apparent from the construction and in consideration of Speed, who states that "Finishing a door in the vertical position, ..., can result in runs or sags in the finish.." (col. 1 ln. 17) that the structure of Ray could be used on it's side to avoid runs in the paint. In the case that the support of Ray was used on it's side it would obvious to included a pair a leg assemblies rather than the stand as shown. Maroné teaches a method of supporting a structure in a horizontal orientation featuring collapsing legs and releasable angled brackets. In view of these previous patents it is considered obvious to one with ordinary skill in the art to modify the design of Ray in order to facilitate horizontal finishing of a workpiece.

***Allowable Subject Matter***

6. Claims 2,4,6,8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. A search of prior art found no examples of a pair of side members, a pair of cross members with at least one cross member being adjustable, where side and cross members completely surround all four sides of the workpiece.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

n. Curran; US patent number 6,338,758. Curran teaches a portable door painting rack system featuring a frame surrounding the workpiece.

o. Faber; German patent number 690,462. Faber teaches a painting jig featuring a pivotal axis while holding the door in horizontal orientation with the motivation of utilizing the horizontal orientation to avoid sags in the paint (col.1 ln. 6).


p. Wood; US patent number 5090648 and Carlilse; US patent number 670213. Wood and Carlilse teach door painting jigs similar to the description of Ray.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to James C. Dooley whose telephone number is 571-2721679. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Richard Chilcot  
Supervisory Patent Examiner  
Technology Center 2  
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